

REMARKS

Claims 1-37 were presented for examination and all claims were rejected. In the present amendment, claims 1, 3-6, 9-11, 13-29, and 32-37 have been amended. No new matter has been added. Upon entry of this amendment, claims 1-37 will be pending, of which claims 1, 15, and 25 are independent. Applicants submit that claims 1-37 are patentable, as amended, and in condition for allowance.

The following comments address all stated grounds of rejection. Applicants respectfully traverse all rejections and urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

SPECIFICATION OBJECTIONS

In the Office Action, the specification was object to for informalities. Specifically, paragraph 1 was objected to for lacking terminating punctuation. Applicants have amended the specification herein to address this objection. Accordingly, Applicants respectfully request the Examiner to withdraw the objection to the specification.

CLAIM OBJECTIONS

In the Office Action, claims 9-11, 21 and 37 were objected to for informalities. These claims have been amended herein to address these objections. Accordingly, Applicants respectfully request the Examiner to withdraw the objections to claims 9-11, 21 and 37.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

In the Office Action, claims 16-18 were rejected under 35 U.S.C. §112 as being indefinite. Specifically, claims 16-18 referred to steps (a), (b), and (c) in claim 15, which does not include steps (a), (b), and (c). These claims have been amended to remove this reference. Accordingly, Applicants respectfully request the Examiner to withdraw the rejections of claims 16-18 under 35 U.S.C. §112.

CLAIM REJECTIONS UNDER 35 U.S.C. §101

I. Claims 1-37 Rejected under 35 U.S.C. §101

Claims 1-37 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 1, 15, and 25 are independent claims, amended herein. Claims 2-14 depend on 4500942v1

and incorporate all of the patentable subject matter of independent claim 1, as amended. Claims 16-24 depend on and incorporate all of the patentable subject matter of independent claim 15, as amended. Claims 26-37 depend on and incorporate all of the patentable subject matter of independent claim 25, as amended. Applicants traverse this rejection and submit that claims 1-37, as amended, are directed to statutory subject matter.

Under the “machine-or-transformation” test of *In Re Bilski*, claimed subject matter is patentable under 35 U.S.C. §101 if “(1) it is tied to a particular machine or apparatus, or (2) it transforms a particular article into a different state or thing.” In the Office Action, the Examiner contends that claims 1-14 do not require a particular machine or apparatus. As amended, claims 1-14 are directed towards a method in which a computing device configured with an isolation environment performs various functions as recited by the claim limitations. The computing device configured with an isolation environment is a particular machine or apparatus. Thus, the method is tied to a particular machine and is statutory. Therefore, these claims, as amended, meet at least the machine portion of the *Bilski* test and are patent eligible subject matter under 35 U.S.C. §101.

As amended, claims 15-24 are directed towards a computer readable medium encoded with computer readable program code. Accordingly, these claims recite an article of manufacture. Thus, claims 15-24, as amended, are patent eligible subject matter under 35 U.S.C. §101.

As amended, claims 25-37 recite a system comprising computer-readable program means performing various functions. Thus, claims 25-37 are directed towards a machine and are statutory. Furthermore, even if the recited functions are to be considered a computer program, they are still claimed as part of an otherwise statutory machine. “In such a case, the claim remains statutory irrespective of the fact that a computer program is included in a claim.” (MPEP, 2106, IV.B.2(a)). Therefore, even if these functions are interpreted as a computer program, these claims recite patent eligible subject matter under 35 U.S.C. §101.

For at least the above discussed reasons, Applicants submit that the subject matter of amended claims 1-37 are directed to statutory subject matter. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 1-37 under 35 U.S.C. §101.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

II. Claims 1-37 Rejected under 35 U.S.C. §102

Claims 1-37 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,047,312 to Brooks *et al.* (“Brooks”). Claims 1, 15, and 25 are independent claims, amended herein. Claims 2-14 depend on and incorporate all of the patentable subject matter of independent claim 1, as amended. Claims 16-24 depend on and incorporate all of the patentable subject matter of independent claim 15, as amended. Claims 26-37 depend on and incorporate all of the patentable subject matter of independent claim 25, as amended. Applicants traverse this rejection and submit that Brooks fails to disclose each and every element of the claimed invention, as amended.

A. Independent claims 1, 15 and 25 not Anticipated by Brooks

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Independent claim 1 is directed to a method for associating a file type of a file with one or more programs. Independent claims 15 and 25 are directed towards a computer readable medium and system, respectively, for invoking an application program associated with a file type. These claims recite that an application may be associated with one of either of a user isolation scope, an application isolation scope, and a system scope. The isolation scopes are provided by an isolation environment, which comprises a user isolation layer and an application isolation layer. An isolation scope is a modified view of native system resources, specific to the application or user. (*see* specification, para. 62).

Brooks fails to disclose an isolation scope provided by an isolation environment comprising an application isolation layer and a user isolation layer. Brooks describes a system where an application launcher on a local computer reconfigures file associations in the registry such that, instead of starting an associated application when the user opens a file, the application launcher is started instead. (*see* Brooks, col. 9, lines 31-34). The application launcher then launches an application associated with the file on a remote computer over a network. (*Id.*, col. 9, lines 39-41). Brooks is seeking to solve a problem where applications are updated on the remote computer, but local computers still have registry associations for obsolete versions of the applications. (*Id.*, col 2, lines 1-8). In Brooks, file associations are still one-to-one, with one file type associated with one application. Rather than isolation, Brooks is merely describing a

method of sharing updated registry associations between file types and remote applications with all local computers on a network. This is different than an isolation environment, in which one file type may have multiple associations with more than one application, with the application invoked responsive to being launched in the context of an application isolation scope or a user isolation scope. Therefore, Brooks fails to disclose an isolation scope provided by an isolation environment comprising an application isolation layer and a user isolation layer.

Because Brooks fails to disclose each and every element of the claimed invention, Applicants submit that independent claims 1, 15 and 25 are patentable, as amended, and in condition for allowance. Claims 2-14 depend on and incorporate all of the patentable subject matter of independent claim 1. Claims 16-24 depend on and incorporate all of the patentable subject matter of independent claim 15. Claims 26-37 depend on and incorporate all of the patentable subject matter of independent claim 25. Therefore, Applicants submit that claims 2-14, 16-24, and 26-37 are also patentable and in condition for allowance. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 1-37 under 35 U.S.C. §102.

CONCLUSION

In light of the aforementioned arguments, Applicants contend that each of the Examiner's rejections has been adequately addressed and all of the pending claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of all of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicants' attorney at the telephone number identified below.

Respectfully submitted,

CHOATE, HALL & STEWART, LLP

Dated: July 1, 2009

/John D. Lanza/
John D. Lanza
Reg. No. 40,060
Attorney for Applicants

Choate, Hall & Stewart, LLP
Two International Place
Boston, MA 02110

(617) 248-5000